

11-626 LOZMAN V. RIVERA BEACH, FL

DECISION BELOW: 649 F.3d 1259

LOWER COURT CASE NUMBER: 10-10695

QUESTION PRESENTED:

Whether a floating structure that is indefinitely moored receives power and other utilities from shore and is not intended to be used in maritime transportation or commerce constitutes a "vessel" under 1 U.S.C. § 3, thus triggering federal maritime jurisdiction.

ORDER OF AUGUST 14, 2012

THE PARTIES ARE DIRECTED, AND THE SOLICITOR GENERAL IS INVITED, TO FILE LETTER BRIEFS ADDRESSING THE FOLLOWING QUESTION: "THE *RES* IN THIS PUTATIVE *IN REM* ADMIRALTY PROCEEDING WAS SOLD AT JUDICIAL AUCTION IN EXECUTION OF THE DISTRICT COURT'S JUDGMENT ON A MARITIME LIEN AND MARITIME TRESPASS CLAIM, PETN. APP. 9a-10a, AND SUBSEQUENTLY DESTROYED, PETR. BR. 10-11. DOES EITHER THE JUDICIAL AUCTION OR THE SUBSEQUENT DESTRUCTION OF THE *RES* RENDER THIS CASE MOOT?"

EXPEDITED BRIEFING SCHEDULE.

CERT. GRANTED 2/21/2012